

United States District Court
Northern District of New York

JUDGMENT IN A CIVIL CASE

JOHN BALTRUSITIS,

Plaintiff,

v.

CASE NUMBER: 1:06-CV-1236

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the final decision of the Commissioner is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further ORDERED that the within matter is DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

All of the above pursuant to the order of the Honorable Magistrate Judge George H. Lowe, dated the 17th day of April, 2008.

DATE: April 18, 2008

**LAWRENCE K. BAERMAN
CLERK OF COURT**

s/

**By: Lori M. Welch
Deputy Clerk**